

# **WEST AMWELL TOWNSHIP COMMITTEE MEETING**

**June 26, 2013 - 7:00 p.m.**

## **CALL TO ORDER AND STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT**

The regular meeting of the West Amwell Township Committee was called to order at 7:38 p.m. Present were Mayor Zachary T. Rich, Deputy Mayor Thomas J. Molnar, Committeeman George A. Fisher, Clerk Lora Olsen and Attorney Philip J. Faherty III. Also in attendance were Dave Beaumont, Porter Little, Jason Fuhr, Cathy Urbanski, John Cronic, Hal Shute, Leon Walters, and Patrolman Jon Sellner.

Mayor Rich announced that this meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was included in the Resolution faxed to the Hunterdon County Democrat and Trenton Times on January 2, 2013, was posted on the bulletin board in the Municipal Building on said date and has remained continuously posted as required under the Statute. A copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

The meeting was recorded via digital recording system.

## **PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG**

The mayor led the assembled group in the pledge to the nation's flag.

## **AGENDA REVIEW BY TOWNSHIP CLERK**

The following items were added: 8.B 4) Alexauken Grant/Princeton Hyrdo Update; 9.C Draft Ordinance; 10.B 3) E-mails; 11.H M&R Resolution.

## **ANNOUNCEMENTS**

The following announcements were made:

- Municipal Offices Closed July 4<sup>th</sup> for Independence Day
- Hunterdon County Hazardous Waste Cleanup Day – July 13<sup>th</sup>, Rt 12 Complex
- Special Senatorial Primary Election – August 13<sup>th</sup>, 6 a.m. to 8 p.m.
- Special School Election – September 24<sup>th</sup>
- Special Senatorial General Election – October 16<sup>th</sup>, 6 a.m. to 8 p.m.
- Hunterdon County Computer & Electronics Collection – Oct 12<sup>th</sup>, Rt 12 Complex
- Please Come to the Table if You Wish to Address the Committee
- Kindly Turn Cell Phones Off During Meeting

## **PRESENTATION OF MINUTES**

The June 10, 2013 Regular minutes were unanimously approved on motion from Molnar, seconded by Fisher.

## **OPEN TO THE PUBLIC/TOPIC NOT ON THE AGENDA**

Mrs. Olsen noted the passing of Henry Zavit. Although residing in Hawaii at the time of his death, Mr. Zavit was a born, bred, and long time West Amwell resident; owner of Rocktown Orchards; and, a WWII veteran.

## **SPECIAL PRESENTATION(S)**

Municipal Alliance – Jason Fuhr provided an update on the activities of the Alliance, noting specifically that a letter was received from the State concerning the 2014-2017 grant application that calls for a survey of school problems. Basically they have to come up with a problem, make a statement as to why it exists, and come up with a plan. Each Alliance is to pick something different, so this is a big problem. The Golf Tournament will be held on July 29<sup>th</sup>. Sponsors and golfers needed. Flyers are available in the municipal building.

Regionalization – Dave Beaumont re-capped recent events, especially the resolutions adopted by the four school boards to move to a vote on the issue, although some re-wording took place as to financial benefit. The date set for this is September 24<sup>th</sup>. Mr. Beaumont relayed that County Clerk Melfi worked to get the vote moved to November but the legislation will not be in effect until January 2014. The Town Hall meeting held on June 3<sup>rd</sup> had 9 community residents in attendance. A power point presentation was given; many good questions were raised; and, support for the regionalization noted. Dates for the remaining Town Hall meetings are July 11<sup>th</sup> in Stockton and July 23<sup>rd</sup> in Lambertville. Mr. Beaumont also relayed that the Regionalization committee was approached by Courage to Connect, a merger support group, who wants to help with the effort at no cost. A meeting with the group will be held in July. FAQs have been developed and are available on the Regionalization website. A suggestion was made for a

governing body resolution that would endorse the regionalization effort. This met with Township Committee support and will be scheduled for the August meeting. Mr. Beaumont will obtain feedback from the Regionalization committee and pull together a draft resolution for consideration.

Mr. Rich requested that the new website be live by September 1<sup>st</sup> and that the details be worked out. A mock up in order to build the home page has been received for review and Mr. Beaumont relayed that he will keep on them for the requested time frame. E-mail migration is also under review.

**INTRODUCTION OF ORDINANCE AND/OR PUBLIC HEARING**  
**Resolution Amending Capital Budget**

**RESOLUTION #103-2013**

WHEREAS, the local Capital Budget for the year 2013 was adopted on May 22, 2013; and

WHEREAS, it is desired to amend the adopted Capital Budget for the year 2013;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell Township, County of Hunterdon, New Jersey, that the following amendment to the adopted Capital budget be made:

**CAPITAL BUDGET (Current Year Action)**  
**PLANNED FUNDING SERVICES FOR CURRENT YEAR-2013**

Project Title	Estimated Total Cost	Capital Improvement Fund	Debt Authorized
Road Improvements			
From	\$200,000	\$ 10,000	\$ 190,000
To	\$ 22,000	\$ 22,000	\$ 0
Police Equipment			
From	\$ 28,800	\$ 1,440	\$ 27,360
To	\$ 14,440	\$ 14,440	\$ 0
OEM Equipment			
From	\$ 8,000	\$ 8,000	
To	\$ 2,925	\$ 2,925	
Building Imp.			
From	\$ 70,000	\$ 22,500	\$ 47,500
To	\$ 71,835	\$ 71,835	\$ 0
<b><u>Total</u></b>			
<b><u>From</u></b>	<b>\$ 306,800</b>	<b>\$ 41,940</b>	<b>\$ 264,860</b>
<b><u>To</u></b>	<b>\$ 111,200</b>	<b>\$ 111,200</b>	

**3 YEAR CAPITAL PROGRAM-2013-2015**  
**Anticipated Project Schedule and Funding Requirements**

Project Totals	Estimated Total Cost	Estimated Completion Time	12/31/15
	\$ 823,800		
Budget Year 2013	<u>111,200</u>		
Remaining Balance	\$ 712,600		

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed forthwith in the Office of the Director of Local Government Services within three days after the adoption of this project for the 2013 Capital Budget.

*The Resolution was unanimously approved on motion by Fisher, seconded by Molnar.*

**Introduction:** Ordinance 7, 2013

The following ordinance was read by title and introduced on first reading:

A CAPITAL ORDINANCE OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON, AUTHORIZING VARIOUS PURCHASES LISTED BELOW AND APPROPRIATING \$123,200.00 FROM THE CAPITAL IMPROVEMENT FUND.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WEST AMWELL IN THE COUNTY OF HUNTERDON AS FOLLOWS:

SECTION 1: There is hereby approved as capital projects within the Township of West Amwell not to exceed the costs as noted below:

<u>Project/Purpose</u>			<u>Cost</u>
Police	Child ID	\$ 4,000.00	
	Video Camera	5,700.00	
	Guns	4,740.00	\$ <u>14,440.00</u>
OEM	Portable Radio	875.00	
	Mobile Radio	600.00	
	AED	1,250.00	
	Cabinet	200.00	<u>2,925.00</u>
Fire	Turnout Gear		<u>12,000.00</u>
Buildings/Grounds	Fire House Doors	6,835.00	
	Generators:		
	Mun, Building	5,000.00	
	DPW	3,000.00	
DPW	Fire House	30,000.00	
	Furnace- Fire House	12,000.00	
	Garage Roof	15,000.00	<u>71,835.00</u>
	Mill/grade/stone portion of George Washington Rd		<u>22,000.00</u>
<b><u>TOTAL</u></b>			<b><u>\$123,200.00</u></b>

SECTION 2: There is hereby appropriated from the Township of West Amwell Capital Improvement Fund the sum of \$ 123,200.00 to cover the cost of the capital projects as described in Section 1 hereof.

SECTION 3: This ordinance shall take effect upon final adoption and publication according to law.

SECTION 4: The capital budget of the Township of West Amwell is hereby amended to conform with the provisions of this ordinance to the extent of an inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of Local Government Services is on file with the Clerk and is available there for public inspection.

*Rich moved to introduce the Ordinance on first reading and Fisher seconded. Motion carried unanimously.*

**Introduction:** Ordinance 8, 2013

The following ordinance was read by title and introduced on first reading:

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS BLOCK 29, LOT 16 IN THE TOWNSHIP OF WEST AMWELL FROM WOODEN AND/OR D&R GREENWAY LAND TRUST, INC.**

**WHEREAS**, there is within the Township of West Amwell (“the Township”), certain real property known as Block 29, Lot 16 on the official tax map of the Township (“the Property”) which is owned or about to be owned by the Estate of Walter Wooden and Debra Wooden (“Owner”) and consists of approximately 43+/- acres; and

**WHEREAS**, D&R Greenway Land Trust, Inc. (hereinafter “D&R Greenway”) entered into a contract with the Owner to purchase the Property for \$425,000.00 (after partial donation by the Owner), so as to preserve it for open space, conservation and recreation purposes; and

**WHEREAS**, D&R Greenway has requested that the Township partner with it in the acquisition, whereby the Township would use funding in the amount of \$140,300.00 available to it through the N.J. Green Acres Program, an \$85,000.00 grant made available to the Hunterdon Land Trust, a cash amount of \$27,900.00 from the Township’s open space trust fund and a partial donation from the Owner to purchase the Property by way of Assignment Agreement in exchange for a 62.3% ownership interest in the Property to be shared with D&R Greenway which will have a 37.7% ownership interest in the Property; and

**WHEREAS**, D&R Greenway and the Owner will split the technical costs for the project, specifically: title searches, filing fees, survey, appraisal and Phase I environmental report, and each party will be responsible for its own title insurance and legal costs; and

**WHEREAS**, the Township has determined that there is a need to acquire the Property for open space, conservation and passive recreation purposes, and to do so with partial funding from the N.J. Green Acres Program and the partnership with D&R Greenway and Hunterdon Land Trust, in consideration for which the Township is eligible to receive funding for the purchase price; and

**WHEREAS**, the Township is authorized to acquire to acquire property for public purposes, pursuant to *N.J.S.A. 40A: 12-1 et seq*; and

**WHEREAS**, the purchase is subject to and in accordance with the conditions set forth in the form Assignment Agreement with D&R Greenway and in the Contract of Sale, as may be amended, between D&R Greenway and the Owner, copies of both of which are on file with the Township Clerk; and

**WHEREAS**, the Township may be required by the County of Hunterdon to convey an approximately twenty percent (20%) interest in the property to the Hunterdon Land Trust in order to utilize the trust’s \$85,000 grant; and

**WHEREAS**, a Deed, Affidavit of Title and other necessary closing documents from the owner of the Property and/or D&R Greenway Land Trust, in accordance with New Jersey Green Acres Program policy, rules and regulations, shall be submitted to the Township upon closing of title on the Property.

**NOW, THEREFORE BE IT ORDAINED** by the Mayor and Township Committee of the Township of West Amwell, County of Hunterdon and State of New Jersey, as follows:

**Section 1.** The Township of West Amwell hereby authorizes the fee simple acquisition of a 62.3% interest in the property known as Block 29, Lot 16 for conservation, open space and passive recreation purposes from the Estate of Walter Wooden and Debra Wooden, to be co-owned with the D&R Greenway Land Trust, as to a 37.7 % interest, by way of Assignment Agreement with D&R Greenway, Inc. for the cost share amount of \$255,000.00, which Agreement is also hereby authorized, subject to any adjustment as permitted in the contract and contingent upon the Township’s receipt of funding from the N.J. Green Acres Program and the successful adoption of an appropriate funding ordinance by the Township for the cash portion, Hunterdon Land Trust’s receipt of a County grant, and an acceptable agreement being entered into among the Township of West Amwell, D&R Greenway and Hunterdon Land Trust, and further contingent on the D&R Greenway’s receipt of the necessary funding to enable its proportionate interest in the Property.

**Section 2.** In addition to the above, the Township of West Amwell also authorizes and accepts a partial donation from the Owner in the amount of \$25,600.00 towards the acquisition.

**Section 3.** The Township of West Amwell further authorizes the fee simple conveyance of up to a 20% interest in the property to Hunterdon Land Trust if needed for funding purposes and may also accept a conveyance from the Hunterdon Land Trust..

**Section 4.** On behalf of the Township Committee of the Township of West Amwell, the Mayor, Deputy Mayor, Township Clerk and Attorney, as appropriate, are hereby authorized and directed to take all reasonable and lawful steps including preparation and execution of any and all documentation necessary to purchase the above-described interest in the Property and obtain clear title, including the Assignment Agreement with D&R Greenway, a conveyance of up to a twenty 20% interest to and/or from the Hunterdon Land Trust and any applicable management agreements with D&R Greenway and/or Hunterdon Land Trust, and any and all documentation needed to close the transaction and process the funding request through the NJ Green Acres program, County of Hunterdon Open Space Program, effectuate acceptance of the Deed to the Property, and record same with the Hunterdon County Clerk's office.

**Section 5.** If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

**Section 6.** All ordinances or parts of ordinances deemed to be inconsistent with this Ordinance are hereby repealed.

**Section 7.** This ordinance shall take effect immediately upon final adoption and publication pursuant to the laws of the State of New Jersey.

*Rich moved to introduce the Ordinance on first reading and Fisher seconded. Motion carried unanimously.*

## **STANDING COMMITTEE REPORTS**

### **Open Space**

- *Project Status Updates:* John Cronce reported that he and Road Supervisor Hoagland will meet next week concerning mowing and trees on **Toll South**. **Toll North** is still in a holding pattern waiting for an executed option agreement. A marked up standard agreement was received two months ago but County Counsel has issues with the changes. A potential project on **Lambert** is in the early stages.

Hal Shute advised that a request has been made for a letter to terminate the Nunn project. The letter needs to come from the governing body and go to County Counsel. Mr. Shute will help draft the required letter. Ms. Zigenfuss has been in contact with Dave Bond and is interested in joining the program. Mr. Cronce will make contact. The **Wooden** project is expected to close the end of July, once Ordinance 8 is finalized. Hunting surveys have been received and the program moving along.

- *Conservation Easement Update:* This project is proceeding well with close to 30 properties visited. The public has by far embraced what is being done. Mr. Cronce mentioned a particular instance where a property was cleaned out between the trees. He does not consider this to be a problem vs the erection of a solid structure.

Cathy Urbanski spoke about easement language from 2001 that requires easements to 'remain in their natural state.' This language invites invasive species when it is best to keep them at bay by being mowed. Mrs. Urbanski reported that she has reviewed the easement complaints and some would need a survey to confirm. These were documented by Glenn Baran between 2004-08. Concerning an enforcement ordinance, she questioned whether the block and lots would have to be embodied, which would then require an amendment to add more. Such an ordinance could contain language permitting change by resolution, according to Attorney Faherty. As there is nothing yet to enforce, Mrs. Urbanski questioned whether an ordinance is even appropriate at this time. At the end of the current investigation, documentation of all easements, including pictures, will be a reality.

An e-mail was received from the Planning Board secretary concerning their discussion on the language contained in property deeds regarding the 'inspection of easements.' The suggestion made was that the Township Committee may wish to review the wording and create some type of 'standard language' for consistency purposes. Mr. Shute explained that there were two different versions in front of the Board that night, one of which was older than those used for the Calton development.

A map of all easements has been prepared by Bannish & Associates for inclusion as a mailer to all residents. The mapping that has been done utilizes GIS layers with updates costing \$200.

- *Closed Session* (Purchase, Lease and/or Acquisition of Real Property) – Held for August meeting.

### **Environmental**

- *Authorization to Post May 9, 2013 Minutes to Website:* Approved

- *Discussion Concerning Junior Members:* Held

- *Approval to Distribute Well Testing Flyers*: Mrs. Urbanski relayed that the Commission would like to offer well testing to residents. Permission is sought for flyer distribution at the Saturday depot both before and after Labor Day as well as approval to have the flyer printed at the County. The cost for 500 flyers would be \$75.00. The project is in collaboration with Raritan Head Waters, of which new member Dave Clapp is associated.

- *Alexauken Grant/Princeton Hydro Update*: A meeting with Princeton Hydro was held today and things are on target for the work. The rain garden at South will be first. Mrs. Urbanski requested that the Clerk contact Dr. Souza concerning in-kind credit and quarterly invoicing. Credit against the grant can also be obtained through the cleaning of storm drains. The Road Supervisor will be requested to report time and equipment hours as in-kind reimbursable items for the grant. It was relayed that Lambertville is purchasing equipment to clean storm drains and that the Township's developments will require maintenance of storm lines as time progresses. The other item in the grant is the detention basin in the Orleans development. Mrs. Urbanski questioned the de-commissioned dam on the Alexauken Wildlife Center and, as the trail is below the stream, whether a bridge would be considered.

#### Recycling

- *Brush Chipping Operation*: Due to the FEMA pile, the Township will need to apply for an exemption for their brush recycling activities. The form was presented and the mayor authorized to sign. A Temporary Debris Management Area form also has to be completed. Harry Heller and Ken Hart are to prepare.

- *Update on Hauler Quotes for Cleanup*: Porter Little relayed prices received from haulers for this activity. Munds will haul for \$250 per container plus \$134 for disposal. Raritan Valley Disposal will do this for \$225 per container plus \$80 per ton for disposal. Overall, the cost would exceed anticipated revenue. Discussion turned to handling both garbage and clean-up in-house as there would be savings. However, the purchase of a truck would be required. The collection of tires at the DPW was discussed briefly in that it was a box truck instead of an open container, which made loading problematic. Offering tire collection to residents for a fee was also mentioned. Mr. Little reported that **E-cycling** is working well with Goodwill and that the Township is on its second container. A draft ordinance was presented for review as to fee structure. It was agreed that the permit fee would be a flat \$30 and that the number of permits sold per event be limited. The Clerk will work with Attorney Faherty on appropriate language for a July 24<sup>th</sup> introduction.

#### Finance

- *Authorization to Post May 1, 2013 Minutes to Website*: Approved.

### **UNFINISHED BUSINESS**

#### **Possible Appointments** – None

**Updates** – 1) Mr. Fisher met recently with Mayor DeVecchio and Brad Campbell concerning the solar installation and walked the group around the property. The largest solar installer in the world is now on board, so Mr. Fisher is optimistic that the project will move forward, as there was concern earlier that backing out when a signed contract was in place could get ugly. The next meeting of the **SHREC** will be July 11<sup>th</sup>. As for **energy aggregation**, the results of the RFPs were reviewed and the best option is for the group that did Plumstead, as they are the only ones who have actually been through it. However, their price is higher than the others. The purpose of the RFP was to select a consultation who would do the actual auction set-up and who would be paid by the winner of same. Mayor DeVecchio will attempt to re-negotiate the price but if this cannot be accomplished, the parameters will have to be set. Aggregation could save the Township \$200/month. Mrs. Olsen relayed that East Amwell may be interested as she spoke with the Administrator and referred him to Lambertville as lead agent. Getting Delaware on board would also help in the aggregation process. 2) A proposal to return to temporary employment as **MHL** only and contracting out for **AA** services was received but not approved. The full position will be re-advertised. Mayor Rich re-iterated his request to research taking Public Assistance to the County. 3) In order to save the **e-mails** currently on Comcast, the purchase of Outlook at \$199 per machine will be required. Upon further communication with departments, it appears that this will only be an issue for the Clerk. Purchase of an up-to-date version of Microsoft Office was approved as Outlook would be included and would be a better buy cost-wise.

**Correction to Captain Bartzak's Contract** – A typo was discovered on page 24 concerning an increase in charges and payments for road jobs. The correction unanimously approved.

**Continued Discussion on Capital and OE Projects** – 1) A preliminary quote for a 3 phase, 48K **generator** for the municipal building was received from Alan Horton. The estimate, which included just the unit, was thought to be high. The use of propane vs gasoline was questioned. Mr. Fisher offered to discuss the quote with Mr. Horton and Mr. Molnar will contact Jim Meskill about possible options. The name of another contractor, William Bauer, was supplied by Mr. Cronce. 2) \$25,000 was allocated in the capital budget towards a **new fire truck**. The balance of the current note is \$261,243, which will be paid off 2016. The consensus was not to incur more debt as the Township cannot afford two debt payments. A brief discussion ensued with Mr. Cronce over the possible worth of the 20 year old truck to be sold and the process used for same. However, the Committee was advised that they should direct their questions to Chief Ent. The question of shared purchase/use of equipment with other fire companies was raised and Mr. Cronce relayed that there are mutual aid agreements in place; that the current system works well without a fire district; and, the Township Committee has been responsive with funding. A possible 2017 purchase was broached but is something that can't be promised with certainty as there are only so many homes and taxpayers in the Township. Another meeting with Chief Ent to discuss the matter was indicated. 3) A revised **DPW operating budget** was reviewed in light of moving George Washington Road to capital and bringing in the \$10,000 from the County's purchase of Township salt as an appropriation refund. With these adjustments, other planned acquisitions can hopefully be achieved. Approval was also given to move on chip sealing Mill Road through the County program.

**Shed Repair Quotes** – The nod for the repair of the Morandi salt shed went to Doug Scheetz at \$360.00.

## **NEW BUSINESS**

**Attorney Pisauro re: Sale of Block 23 Lot 10 & Right of First Refusal/Resolution** – This item was discussed at the last Planning Board and the Board's consensus was that it was not in the Township's best interest to pursue the purchase, according to an e-mail received from the Planning Board secretary. Mr. Shute noted that Open Space was also not in favor of the purchase.

### **RESOLUTION #104-2013**

BE IT RESOLVED that the West Amwell Township Committee is not exercising its right of first refusal on Block 23 Lot 10.

*The Resolution was unanimously approved on motion by Rich, seconded by Fisher.*

**Lambertville Music Hall Parking Issue** – The fact that the applicant to the Lambertville Zoning Board failed to speak with the Township about the proposed ESC parking arrangement was noted. That this is not something that the Township wants; the concern over the ability of the Lambertville Zoning Board to grant a waiver based on ESC parking; and, the ability of one municipality to encumber another was discussed. A 1996 letter from Attorney Shurts to the Dept. of Education concerning ESC was located in Township files and it expressly stated that *'the approval of the zoning board applies only to school uses. If the applicant seeks to bring in other tenants, additional municipal review may be required.'* It is not known at this point whether there has been actual contact with our zoning official by the attorney for the music hall. Mr. Cronce relayed his concern over whether ESC is allowed to entertain this use; that no one has considered the neighbors and the effect on the area involved; and, the lot would not be under their control and will become a problem of expansion. There would be no restrooms available to the visitors; this presence would involve drunks, fire, and police personnel, along with potential overtime for the latter. He relayed that a suggestion was made to use the CVS strip on North Union but was told that 'the neighbors wouldn't put up with it.' Mr. Cronce expressed appreciation to the Committee for listening to his concerns and stated that there is no upside for West Amwell in the plan. That the facility is also not wanted in Lambertville was also mentioned.

**Request from Dog Registrar for Clinic Worker Payment** – This request was overlooked during budget talks. As the annual Rabies Clinic is held outside normal business hours, a stipend is requested to compensate staff who may work the clinic. Suggested compensation was \$20.00 per hour for the Dog Registrar and Assistant to write up certificates and \$10.50 per hour (or current rate for the Depot attendant) to aid the public, guide the queue and maintain order in the flow. Item approved.

**Liquor License Renewal Resolution –**

**RESOLUTION #105-2013**

WHEREAS, the notice of intention to apply for a renewal of a Plenary Retail Consumption License was duly received by the Clerk of the Township of West Amwell in accordance with the rules and regulations as set forth by the Division of Alcoholic Beverage Control

BE IT RESOLVED by the Township Committee of the Township of West Amwell pursuant to an act entitled "An Act Concerning Alcoholic Beverages" passed December 6, 1933 and amendments thereof and supplements thereto is hereby authorized to issue a license for the sale of alcoholic beverages in the Township of West Amwell, subject to the conditions prescribed in an Ordinance of the Township of West Amwell dated March 1, 1963, amended February 21, 1969, October 5, 1978, April 2, 1981, February 3, 1983, August 18, 1999, April 18, 2001, April 3, 2002, October 19, 2005, July 19, 2006 and further amended on March 7, 2007.

BE IT FURTHER RESOLVED that, subject to the aforesaid conditions, the following Plenary Retail Consumption License be granted, the fee being \$2500.00 per year, effective date being July 1, 2013, Vinesse Corp. of 19 Pine Hill Road, Stockton, NJ 08559 license #1026-33-001-006. Governing Body of the said Township be and is hereby authorized to sign said license

*The Resolution was unanimously approved on motion by Rich, seconded by Fisher.*

**Resolution(s) for Consideration –**

- *Opposing JCP&L Company Petition for a Rate Increase:* Similar resolutions have been received from other municipalities. These were reviewed for possible support.

**RESOLUTION #106-2013**  
**OPPOSING JERSEY CENTRAL POWER AND LIGHT**  
**COMPANY'S PETITION FOR A RATE INCREASE**

**WHEREAS**, Jersey Central Power & Light Company is a public utility subject to the jurisdiction of the New Jersey Board of Public Utilities and bound by the BPU's rules, regulations and policies, as well as all applicable requirements of the New Jersey Administrative Code, which specifically addresses electric utilities, plants, facilities and services; and

**WHEREAS**, JCP&L filed a petition with the BPU for a rate increase; and

**WHEREAS**, because of the burden the loss of electricity caused the residents of West Amwell Township during Hurricane Irene, Tropical Storm Lee, the snowstorm of October 31, 2011 and Superstorm Sandy; and

**WHEREAS**, due to the extreme burden to the Township's DPW to clear the roads of a tremendous amount of brush and trees, which is due mainly to the failure of JCP&L to properly maintain their right of way throughout the Township, the Township opposes any rate increase to JCP&L and calls upon the Division of Rate Counsel to oppose the rate increase on behalf of the Township residents; and

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of West Amwell, County of Hunterdon and State of New Jersey opposes any rate increase request by JCP&L and that the Division of Rate Counsel oppose the rate increase on behalf of the Township residents; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be sent to BPU President Robert Hanna, BPU Commissioners, Division of Rate Counsel, Legislators representing this Legislative District, the New Jersey State League of Municipalities and all Hunterdon County Municipalities.

*The Resolution was unanimously approved on motion by Fisher, seconded by Rich.*

**Upcoming Special Elections & Other Expenses/Compensation** – There will be a total of four elections this year as a special senatorial primary and senatorial general have been scheduled for August and October, respectively, as well as the special September regionalization and November general, all of which have time implications for the Clerk. As there are hours involved that are outside the normal work day, consideration of some type of compensation was requested. Also, the two senatorial elections are supposed to be 100% reimbursable to the



County/municipality, but there is concern about how to spend money to pay for election costs that were not anticipated in the budget. The County Clerk is attempting to get answers and if there are other expenses anticipated by the municipality in holding these elections, she needs to know in order to include same in her estimate to the State.

**National Multiple Sclerosis Society - September 15<sup>th</sup> Bike MS Ride** – This group has been holding this event for several years. A Certificate of Insurance has been provided. Item approved.

**M & R Award Resolution** – Quotes have been obtained by the Road Supervisor for maintenance and repair materials.

RESOLUTION #107-2013

WHEREAS, the Township of West Amwell is in need of Road Maintenance and Repair materials; and

WHEREAS, quotes were solicited by the Road Supervisor as follows:

Description	Quantity	Trap Rock	Flemington Bitumionous	New Hope Quarry
#1 1" Blend	1000 tons	\$ 8.00		\$8.00 (+tolls)
#2 I-5 Blacktop	150 tons	\$61.60*	\$60.12*	
*(subject to price fluctuation)				

WHEREAS, the quote totals received are under the bid threshold; and

WHEREAS, Trap Rock Industries quote for 1" Blend in the amount of \$8,000.00 and Flemington Bituminous' quote for I-5 Blacktop in the amount of \$9,018.00 represents the lowest overall cost to the Township; and

WHEREAS, Trap Rock Industries and Flemington Bituminous have submitted the required Business Registration Certificate

THEREFORE, BE IT RESOLVED, that the supply of 2013-14 Road Maintenance and Repair material listed in #1 above be awarded to Trap Rock Industries in a amount not to exceed \$8,000.00 and those listed in #2 above be awarded to Flemington Bituminous in an amount not to exceed \$9,018.00 at the unit price quote for pick up at the respective local locations.

*The Resolution was unanimously approved on motion by Fisher, seconded by Molnar.*

**OPEN TO THE PUBLIC**

Leon Walters came forward about the status of the former Toll property as he is interested in purchasing same, as relayed at the last meeting. His intent is to farm and build a house. Attorney Faherty relayed that the Township is restricted as to what can be done to sell the property and reviewed the laws governing this, noting that there are not a lot of options. However, one option would be to provide a commission to a real estate broker and advertise the sale. Attorney Faherty was requested to put together an appropriate ad for the Committee's review and decision at the July meeting.

Mrs. Olsen requested confirmation on proceeding with the George Washington Road project so that the Township Engineer could be advised to start with bid solicitation. Confirmation received.

**ADMINISTRATIVE REPORTS**

**Treasurer –**

RESOLUTION #108-2013

WHEREAS, it has been determined by the Zoning Board of West Amwell Township that the following applicant's escrow fees are in excess of what was needed to cover their charges, and

WHEREAS, the Zoning Board has approved a refund of the following amount;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of West Amwell that the Treasurer is hereby authorized to refund the following amount to the applicants:

Applicant	Amount Refunded
PECO/Patricia Harris	\$4,337.59 (previously approved; additional interest due; replacement check)
John Ashton	\$ 85.00
Richard Hart	\$ 80.00
Martha MacDonald	\$ 30.00
Alisha Hastings-Kimball	\$ 220.00
Jason & Erica Vavrence	\$ 102.83
Jonathan Bob	\$ 125.00
Jesse Varela	\$ 180.06
Michael Rosenberg	\$ 100.00
Quick Chek	\$ 423.01
Cingular (New Cingular Wireless)	\$ 690.44

*The Resolution was unanimously approved on motion by Fisher, seconded by Molnar.*

Presentation of Bills for Approval:

RESOLUTION #109-2013

BE IT RESOLVED by the Township Committee of the Township of West Amwell that the vouchers listed on the Bill List, in the amount of \$1,166,867.33, dated June 26, 2013, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

*Fisher motioned to approve the evening's bills for payment, seconded by Molnar, and carried unanimously.*

Treasurer Report: Appropriations through June 26, 2013 were provided and reviewed.

Results of Note Sale: The \$735,800 Bond Anticipation Note and closing certificates were received and signed. The maturation date is June 27, 2014 with a .85% per annum interest rate. The executed Certificate of Determination and Award was provided to the Township Committee as required in order to meet the reporting requirements of the Local Bond Law.

**Tax Collector –**

RESOLUTION #110-2013

WHEREAS Tax Sale Certificate #201202 for Block 21, Lot 4; 333 Rocktown-Lambertville Road assessed to Mark and Denise Lelie was sold on October 9, 2012 to Tadeusz J. Dabrowski; and,

WHEREAS the amount of \$10,624.38 has been received from Wells Fargo Home Mortgage for the owner of the property for the redemption of this certificate

THEREFORE BE IT RESOLVED that the Treasurer be authorized to prepare, and the Mayor, Clerk and Treasurer be authorized to sign, a check in the amount of \$10,624.38 payable to Tadeusz J. Dabrowski.

*The Resolution was unanimously approved on motion by Fisher, seconded by Molnar.*

The monthly report for May 2013 was received showing receipts in the amount of \$1,800,947.16.

**Clerk/Human Resources –**

Personnel Policy Manual, continued review – HELD

**Construction** – The Permit Fee Log details (15), Tax Assessor Report-Permits (15), Monthly Activity Report-Permits, Payment Summary Report (26-\$9,256.00), Tax Assessor Report-Certificates (30), Monthly Activity Report-Certificates (30), Certificate Log Detail (30) were received for PermitsNJ.

**Police** – The April and May 2013 Monthly Reports showing 157/142 incidents, 311/207 summonses and 0/2 warnings were received.

**Website Review** - Held

The reports were unanimously accepted as filed.

**CORRESPONDENCE**

The correspondence as listed on the Agenda was ordered filed.

**ADJOURNMENT**

There being no further business, the meeting was unanimously adjourned at 10:25 p.m. on motion from Fisher.

Respectfully submitted,

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Lora L. Olsen, RMC  
Township Clerk

APPROVED: July 24, 2013